

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2005/019248

International filing date (day/month/year)
13.10.2005

Priority date (day/month/year)
14.10.2004

International Patent Classification (IPC) or both national classification and IPC
INV. G11B27/031 G11B27/034 H04N5/222

Applicant
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/019248

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/019248

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2,3,5,6,8,9,11,12
	No: Claims	1,4,7,10
Inventive step (IS)	Yes: Claims	3,6,9,12
	No: Claims	1,2,4,5,7,8,10,11
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US-A-5 852 435 (VIGNEAUX ET AL) 22 December 1998;

D2: HOFMANN S: "BANDLOSE UND IT-BASIERENDE SYSTEME IN DER TV-PRODUKTION - WEGBEREITENDE TECHNIKEN" FKT FERNSEH UND KINOTECHNIK, FACHVERLAG SCHIELE & SCHON GMBH., BERLIN, DE, vol. 57, no. 8/9, August 2003, pages 396-398,400, XP001220628, ISSN: 1430-9947.

2. Document D1 discloses (see the passages cited in the Search Report) a recording apparatus which records a first data with high resolution and a second data with a resolution lower than the resolution of the first data as separate files, the first data and the second data being generated from a same video and audio source, said recording apparatus comprising
- an input unit operable to receive the video and audio source from outside (input to media recorder 330),
 - a first coding unit operable to code the video and audio source inputted from said input unit in order to generate the first data (media recorder 330 performing motion JPEG video compression),
 - a second coding unit operable to code the video and audio source inputted from said input unit in order to generate the second data, the second data being coded with a resolution lower than a resolution of the first data (MPEG encoder 340), and
 - a recording unit operable to record at least the data coded by said first coding unit onto a recording medium (media server),
- wherein the second data includes identification information unique to the first data (see in particular col. 10, l. 28-67, same unique identification number assigned to the low resolution version of the media data and the high resolution version of the media data).

Thus, the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

3. Document D1 also discloses that the second data is MPEG compressed. Document D2 further discloses to use the standard unique material identifier UMID to provide a link between original material and copied material (see in particular section 2), which may be low resolution material stored on a separate server (see fig. 4), as it is also the case in the system of D1. It is therefore an obvious possibility to use the UMID of D2 in the system of D1, as defined in claim 2. Thus, the subject-matter of claim 2 does not involve an inventive step in the sense of Article 33(3) PCT.
4. Claim 3 further defines to store the serial number of the recording medium where the first data is stored into the UMID of the second data corresponding to the first data. Such a solution is not suggested in the prior art and therefore appears to involve an inventive step in the sense of Article 33(3) PCT.
5. Claims 4-6 only define an editing apparatus corresponding to the recording apparatus according to claims 1-3. Consequently, the statements made with respect to claims 1-3 are also valid for claims 4-6.

This also applies to claims 10-12 defining the corresponding file format.

6. Claim 7 comprises all the features of claims 1 and 4 and is therefore not appropriately formulated as a claim dependent on the latter (Rule 6.4 PCT).

Further, the statement made with respect to claims 1 and 4 also applies to claim 7. This also holds for claims 8 and 9 with respect to claims 2, 3 and 5, 6, respectively.

Re Item VII

Certain defects in the international application

1. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in document D1 is not mentioned in the description, nor is this document identified therein.
2. The independent claims are not in the two-part form in accordance with Rule 6.3(b)

PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in a preamble and with the remaining features being included in a characterising part .

3. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).